

STATE OF WISCONSIN
BEFORE THE WISCONSIN EMPLOYMENT RELATIONS COMMISSION

**BROWN COUNTY SHELTER CARE EMPLOYEES,
LOCAL 1901-F, AFSCME, AFL-CIO, Complainant,**

vs.

**BROWN COUNTY, ALLEN PARKS,
DENNIS NELSON, JAMES HERMANS,
STEPHEN FELTER, and JOHN DOES 1 and 2,
Individually and as Agents of Brown County, Respondents.**

Case 698
No. 63646
MP-4054

Decision No. 30930-C

**ORDER DENYING MOTION TO PROHIBIT EXPERT WITNESS TESTIMONY AND
DENYING IN PART AND GRANTING IN PART MOTION TO PERMIT DISCOVERY**

On December 30, 2004, respondents submitted a Notice of Motion and Motion to Prohibit Expert Witness Testimony and in the alternative to Permit Discovery. The undersigned conducted a telephone conference with the parties on January 4, 2005.

Upon review of the parties' arguments and relevant precedent, I have decided it is better to allow the testimony than to exclude it. However, in the interests of administrative efficiency, I am partially granting respondents' request for the production of certain documents.

Accordingly, it is my

ORDER

1. That the motion to prohibit expert witness testimony, namely the testimony of Gregory John Van Rybroek, Ph.D., J.D., is DENIED.
2. That the motion to permit discovery of Dr. Van Rybroek is DENIED.

No. 30930-C

3. That the complainant shall, by noon on January 5, 2005, provide to respondents' attorney all reports which Dr. Van Rybroek has prepared relating to this matter, which it intends to offer into evidence.

Dated at Madison, Wisconsin, this 4th day of January, 2005.

WISCONSIN EMPLOYMENT RELATIONS COMMISSION

Stuart Levitan /s/

Stuart Levitan, Examiner